

DARREN T. BRENNER, ESQ.
Nevada Bar No. 8386
REX D. GARNER, ESQ.
Nevada Bar No. 9401
NATALIE L. WINSLOW, ESQ.
Nevada Bar No. 12125
AKERMAN LLP
1160 Town Center Drive, Suite 330
Las Vegas, NV 89144
Telephone: (702) 634-5000
Facsimile: (702) 380-8572
Email: darren.brenner@akerman.com
Email: rex.garner@akerman.com
Email: natalie.winslow@akerman.com

*Attorneys for Plaintiff The Bank of New York
Mellon fka The Bank of New York, as Trustee for
the Certificateholders of CWALT, Inc., Alternative
Loan Trust 2005-82, Mortgage Pass-Through
Certificates, Series 2005-82*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

THE BANK OF NEW YORK MELLON FKA
THE BANK OF NEW YORK, AS TRUSTEE
FOR THE CERTIFICATEHOLDERS OF
CWALT, INC., ALTERNATIVE LOAN
TRUST 2005-82, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-82

Plaintiff,
vs.

ERIC A. CATTANI; INDEPENDENCE
HOMEOWNERS' ASSOCIATION; TERRA
WEST COLLECTIONS GROUP, LLC D/B/A
ASSESSMENT MANAGEMENT SERVICES;
SFR INVESTMENTS POOL 1, LLC; DOE
INDIVIDUALS I-X, inclusive, and ROE
CORPORATIONS I-X, inclusive,

Defendants.

Case No.: 2:17-cv-00363-JCM-GWF

**DEFENDANT ERIC A. CATTANI'S
DISCLAIMER OF INTEREST**

AND

**STIPULATION AND ORDER OF
DISMISSAL**

Plaintiff The Bank of New York Mellon fka The Bank of New York, as Trustee for the
Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-82, Mortgage Pass-Through
Certificates, Series 2005-82 (**BNYM**) and Defendant Eric A. Cattani (**Cattani**) stipulate and agree as
follows:

1 1. In 2010, Cattani filed a petition for bankruptcy under Chapter 7, through which he
2 abandoned any interest in the property that is the subject of this litigation, 9109 Hilverson Avenue,
3 Las Vegas, Nevada 89148 (the **Property**).

4 2. On or about August 16, 2011, Cattani received a Chapter 7 discharge.

5 3. On or about May 2, 2014, Independence Homeowners' Association (**HOA**)
6 foreclosed and sold at auction the Property to SFR Investments Pool 1, LLC (**SFR**).

7 4. On February 6, 2017, Plaintiff filed a complaint for quiet title and other claims
8 against Defendants in this action.

9 5. Cattani disclaims of any present right, title, or interest in the Property.

10 6. Cattani has no opposition to any present or future foreclosure, judicial or non-judicial,
11 by the holder of the first deed of trust on the Property, Instrument No. 20050930-0002681 in Clark
12 County Recorder's records.

13 ...

14 ...

15 ...

16 ...

17 ...

18 ...

19 ...

20 ...

21 ...

22 ...

23 ...

24 ...

25 ...

26 ...

27 ...

28 ...

7. Plaintiff and Cattani agree that Cattani may be dismissed from this action, with each of them bearing their own attorneys' fees and costs.

DATED this 22nd day of June, 2017.

DICKINSON WRIGHT

/s/ Joanna M. Myers, Esq.
JOANNA M. MYERS, ESQ.
Nevada Bar No. 12048
8363 West Sunset Road, Suite 200
Las Vegas, Nevada 89113

Attorney for Defendant Eric Cattani

AKERMAN LLP

/s/ Rex D. Garner, Esq.
DARREN T. BRENNER, ESQ.
Nevada Bar No. 8386
REX D. GARNER, ESQ.
Nevada Bar No. 9401
NATALIE L. WINSLOW, ESQ.
Nevada Bar No. 12125
1160 Town Center Drive, Suite 330
Las Vegas, Nevada 89144
Telephone: (702) 634-5000
Facsimile: (702) 380-8572


Attorneys for Plaintiff

ORDER

IT IS HEREBY ORDERED that, based upon Defendant Cattani's disclaimer of any present right, title, or interest in the subject property as set forth herein, Defendant Cattani is dismissed from this case without prejudice.

IT IS FURTHER ORDERED that Plaintiff and Cattani shall bear their own attorneys' fees and costs.

IT IS SO ORDERED:


UNITED STATES DISTRICT JUDGE

June 26, 2017

DATED